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SUBJECT: Senegal: Democracy, But no Checks and Balances

11. (SBU) SUMMARY: On April 14, Senegal's National Assembly released a summary of its 2008 activities. It was reported that the Assembly passed sixty-eight laws, of which only three were initiated by the Assembly itself, while all the others by the Executive branch. The Assembly also passed seven resolutions and set up an inquiry committee on prohibitive rents in Dakar. Despite Senegal's reputation as a democracy, the reality is that the National Assembly is merely a rubberstamp of Executive initiatives that provides no checks and balances. End Summary

Three bills

12. (SBU) Senegal's Constitution gives authority to both the Legislative and the Executive branches to initiate laws. The Assembly has 150 deputies, and only 17 are from the opposition. In 2008, only three bills were initiated by deputies and even those three were at the behest of the Executive. The first bill was to postpone local elections. The other two bills amended the Constitution to allow President Abdoulaye Wade to reduce the term of the Chairman of the National Assembly from five years to one so that he could fire its then-President Macky Sall. The seven resolutions either congratulated Wade and the GOS on various occasions or supported Wade in getting rid of Sall.

Lack of expertise

13. (SBU) The Assembly has one parliamentarian Assistant who works for the Finance Committee. The Office of Legislative Affairs, that is the cornerstone of the Assembly in the passing of bills and the keeping of records, is understaffed with only seven employees. Its Director wryly told Embassy that this year they were able to examine 68 laws because there were fewer illiterates who became deputies following the June 2007 legislative elections. In 2006, they were only able to pass 37 bills for the whole year and none was initiated by a Member of the Assembly. But rather than illiteracy, he saw the lack of independence as the most severe constraint of the Assembly. He also blamed a practice of recruitment on the basis of political patronage rather than the need of the Assembly. As a very basic example he gave the case of the "Calots Bleus" (blue berets) who were members of President Wade's unpaid private militia when he was in the opposition. Some of these Calot Bleus have been recruited as cleaners by the National Assembly, but they refuse to perform this job, which they consider demeaning, nevertheless at the end of each month they receive their salaries.

Weak Senate

14. (SBU) In addition to the Assembly, Senegal's recently reconstituted Senate is even weaker. When he revived this body, President Wade had claimed that it was needed to add an extra level of expertise to the creation and review of laws. According to unconfirmed but well known statistics at least 40 percent of the Senators are illiterate. The Senate does not have its own premises and meets at the National Assembly. A professional staff member of the Assembly told Embassy, "the Senate simply plagiarizes what we do here, this is why when they hold a meeting the media does not cover it; it's dj`vu for them." In the public opinion it is common to

hear calls for the elimination of the Senate which has become an institution that exemplifies all of the financial excesses of the Wade government.

Comment

15. (SBU) Both the National Assembly and the Senate are costly and inefficient; institutions crippled by their lack of independence from the Executive and a voting system that ensures that a governing party has a massive majority in both bodies. The statistics for the past year tend to reinforce that notion. Despite a pledge by some members of the Assembly that this year would be different, the opposite has been the case. Furthermore, Senegal's system allows for deputies to hold multiple positions such as mayors, meaning that most members are seldom in chambers. Until there is a serious revision of the powers of the Assembly, especially its relationship with the Executive, it is doomed to remain an inconsequential body that acts only when asked to do so by the President Bernicat